



Michael S. Horn

Member of New Jersey and New York Bars

mhorn@archerlaw.com

201-498-8529 (Ext. 7529) Direct

201-342-6611 Direct Fax

Archer & Greiner, P.C.

Court Plaza South, West Wing

21 Main Street, Suite 353

Hackensack, NJ 07601-7095

201-342-6000 Main

201-342-6611 Fax

www.archerlaw.com

June 8, 2021

VIA ECF

Judge William F. Kuntz, II
United States District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Xiamen ITG Group Corp., Ltd. v. Peace Bird Trading Corp.
Civil Action No. 21-cv-0535

Dear Judge Kuntz:

We represent the Defendant, Peace Bird Trading Corp. in the above referenced matter. Please accept this letter as a request for an adjustment of the brief schedule, which was previously set by the Court regarding the motion to dismiss in lieu of an answer to the outstanding petition.

As the Court is aware, this matter is related to the following two pending matters: *Xiamen ITG Group Corp., Ltd. v. Peace Bird Trading Corp., et al.*, Civil Action No. Case No. 1:19-cv-06524-DLI-ST (“First Filed Action”) and *Xiamen ITG Group Corp, LTD. v. Crystal Vogue, Inc.*, Civil Action No. 2:21-cv-02813 (“New Jersey Action”). We have advised all the Courts in those matters that we are seeking to withdraw because of, among other things, a breakdown in communication with our clients. This renders it unfeasible to continue to represent our clients especially in light of the fact that the cases involve a significant amount of documents in foreign languages and the fact that many of the facts occurred outside of this country.

In any event, the Court in the First Filed Action has provided my clients sixty (60) days to procure new counsel. That Court has permitted us to file a formal application to withdraw within thirty (30) days. The Court in the New Jersey Action has permitted us to file our application next week. In this action, we are seeking to adjust the motion schedule and we are to update Magistrate Judge Vera M. Scanlon by June 16, 2021 as to whether our client has retained counsel and whether the schedule has been adjusted.

The communication issues that are part of the basis for our application to withdraw, renders an adjournment of the motion schedule prudent since it is not feasible to prepare responsive papers in light of the circumstances. In addition, it would promote judicial efficiency to adjust the motion schedule so that there is more clarity on whether Defendant will retain new counsel. Furthermore,

Judge William F. Kuntz, II

June 8, 2021

Page 2

since part of the relief in the motion to dismiss is to seek to consolidate this case with the First Filed Case, we believe it would promote judicial economy to have this motion briefed after our client has had time to retain counsel, as provided by that Court.

Based upon the above, it is respectfully requested that the date for Plaintiff to oppose the motion be changed to July 30, 2021 and the reply be due on August 30, 2021.

We have worked with our adversary on this scheduling adjustment and they have consented to this change. We appreciate the Court's consideration as to this schedule adjustment.

Respectfully,



MICHAEL S. HORN

MSH

221319252v1